

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:24-cv-00420-BO**

JOHNNY THOMAS ORTIZ II, JIMMIE  
GREGORY ROGERS, JR. and WELDON  
MURPHY,

Plaintiffs,

v.

NORTH CAROLINA STATE BOARD OF  
ELECTIONS, ALAN HIRSCH, in his official  
capacity as Chair of the North Carolina State  
Board of Elections, JEFF CARMON III, in his  
official capacity as Member of the North Carolina  
State Board of Elections, STACY EGGERS IV,  
in his official capacity as Member of the North  
Carolina State Board of Elections, KEVIN N.  
LEWIS in his official capacity as Member of the  
North Carolina State Board of Elections,  
SIOBHAN O'DUFFY MILLEN in her official  
capacity as Member of the North Carolina State  
Board of Elections, and KAREN BRINSON BELL,  
in her official capacity as Executive Director of the  
North Carolina State Board of Elections,

Defendants.

**MOTION TO INTERVENE  
AS PLAINTIFFS**

Dr. Cornel West, Italo Medelius and the Justice for All Party of North Carolina (“JFA”) (collectively, “Proposed Intervenors”) seek to participate in the above-captioned lawsuit as plaintiffs who challenge the constitutionality of North Carolina’s ballot access requirements as applied to them and enforced by Defendant North Carolina State Board of Elections. As set forth in the accompanying memorandum of law, Proposed Intervenors are entitled to intervene as a matter of right pursuant to Fed. R. Civ. P. 24(a). In the alternative, Proposed Intervenors request

permissive intervention pursuant to Fed. R. Civ. P. 24(b). Proposed Intervenors have conferred, through counsel, with Plaintiffs, and Plaintiff do not object to the requested relief.

In accordance with Rule 24(c), the Proposed Intervenors' Complaint is attached hereto as Exhibit A.

WHEREFORE, Proposed Intervenors request that the Court grant them leave to intervene in the above-captioned matter and to file their Complaint.

Dated: July 29, 2024

Respectfully submitted,

/s/Christopher R Lusby  
Lusby Law PA  
2860-A Ward Blvd  
Wilson, NC 27893  
252-221-3223  
[www.lusbylaw.com](http://www.lusbylaw.com)  
State Bar No: 52274

Melissa Cowan  
More Voter Choice Fund Inc.  
8 Mosher Place  
West Hurley, NY 12491  
845-706-3303  
[melissa@morevoterchoicefund.org](mailto:melissa@morevoterchoicefund.org)  
State Bar Number: 5441860

Oliver B. Hall\*  
CENTER FOR COMPETITIVE DEMOCRACY  
P.O. Box 21090  
Washington, D.C. 20009  
202-248-9294  
[oliverhall@competitivedemocracy.org](mailto:oliverhall@competitivedemocracy.org)  
D.C. Bar No. 976463

*Counsel for Proposed Intervenors*  
\*Notice of Special Appearance Forthcoming

### **CERTIFICATE OF SERVICE**

I hereby certify that on July 29, 2024, the foregoing document was filed using the Court's CM/ECF system, which will effect service upon all counsel of record.

Dated: July 29, 2024

/s/Christopher Lusby  
Christopher Lusby